

JAN 31 2014  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

RUSSELL ADAM PELLETIER, ) CASE NO. 7:13CV00599

Petitioner, )  
v. ) FINAL ORDER

UNNAMED RESPONDENT, )  
By: James C. Turk  
Respondent. ) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice as successive, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 31<sup>st</sup> day of January, 2014.

James C. Turk  
Senior United States District Judge